



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

MISCELLANY.**BAR EXAMINATION.**

Richmond, Virginia, November 13, 1908.

1. Give essentials of a valid contract.
2. What simple contracts are required to be in writing?
3. How do specialty contracts differ from simple contracts, with respect to consideration?
4. Give principal exceptions to this rule.
5. What are the exceptions to the rule, that a past consideration will not support a contract?
6. From what causes may incapacity to contract arise?
7. What is a warranty, and what a representation, in the law of contracts?
8. Define fraud.
9. What choice of remedies has the party defrauded?
10. Name principal classes of agreements which are void as being contrary to public policy.
11. What is the difference in the effect of a sale of goods stolen and those obtained by fraud or false pretences?
12. In a sale of specific chattels, when does title pass?
13. When does title pass if something remains to be done to the goods sold, although they are identified?
14. When does title pass under a conditional sale?
15. Name the three general classes of agents and define each, and state difference between an agent and a servant.
16. What is the difference in the responsibility of the principal for the acts of a general and a special agent?
17. In what ways may an agency be terminated by operation of law?
18. How do bailments differ from sales and gifts of chattels?
19. Give some of the most important principles common to all classes of bailments.
20. How may an innkeeper's common law liability be limited, and what security has he for his recompense?
21. How does a surety differ from a guarantor? From indorsers?
22. What is the right of contribution between co-sureties, and upon what grounds is it founded?
23. Define negligence; give its essential elements; and state what is meant by the proximate cause of an injury.
24. Define contributory negligence; state its effect on plaintiff's right of action when shown to exist; and the exceptions which have been engrafted upon its operation.
25. Give common law rule as to liability of husband for the torts of the wife.

26. What interest does a husband take in his wife's fee simple estates?

27. Define divorce and the different kinds, and state for what causes divorce of each kind may be decreed.

28. Define a guardian, and name the various kinds.

29. What contracts of an infant are valid?

30. Define equity in its technical sense.

31. In what cases is the exercise of equitable jurisdiction warranted?

32. What is the doctrine of "notice" in equity; and state the different kinds.

33. What is equitable estoppel, and upon what is it founded; and what are its essential elements?

34. What jurisdiction has equity in cases of fraud, and define the different kinds of fraud.

35. In what cases will fraud be presumed from the relations of the parties?

36. What are trusts; how did they arise, and how are they classified?

37. What trusts are illegal?

38. Define pleas in bar, and name the different kinds.

39. On what must a demurrer and on what must a pleading be founded? What is profert, and whatoyer?

40. Define homicide—justifiable, excusable, and felonious.

41. What elements are necessary to constitute homicide?

42. Define malfeasance and misfeasance.

PLEDGE.

I hereby certify that I have neither received nor given aid or assistance in any manner during this examination.

(Name)

(Home Address)

Notify me at

List of Successful Applicants.

Out of the class of thirty applicants seventeen passed the examination. The successful ones are as follows:

Arnold, John E.....	Norfolk, Va.
Bell, Frank L.....	Clarendon, Va.
Beard, Stanley Alphonse.....	Lexington, Va.
Cauthorn, Alexander J.....	Bedford City, Va.
Fife, William O.....	Charlottesville, Va.
Gore, B. S.....	Johnson City, Tenn.
Harrison, James M.....	Norfolk, Va.
Hunter, Thomas Lomax.....	King George, Pa.
Jones, Ernest.....	Sheppards, Va.
Johnson, Henry Alan.....	Norfolk, Va.

Kirby, Elmer Lee.....	Norfolk, Va.
Miller, Henry Campbell.....	New York City.
Paige, R. G. Leslie.....	Norfolk, Va.
Riddleberger, H. H.....	Woodstock, Va.
Sutherland, L. B.....	Clintwood, Va.
Steinhauer, Ernest P.....	Charlottesville, Va.
Wise, Jennings O.....	Charlottesville, Va.

The Drama of the Law.—"C'est toute la tragedie, toute la comedie humaine que met en scene sous nos yeux l'histoire de nos lois." This motto, fitly chosen by Maitland for his edition of the Yearbooks, is well exemplified in the posthumous volume of the great legal historian's work which has just been issued by the Seldon Society. Here we have, indeed, all the tragedy and all the comedy of life displayed before our eyes, and much of the moving interest which attends the unfolding of the drama. There is, for instance, the typical case of *Gyse v. Baudewyn*, brought by an outraged husband for the recovery of his wife pursuant to the provision of the Statute of Westminster II—an enactment which reflects the lawless spirit pervading society after the Barons' war which struck at the very heart of domestic life. It sounds odd, though, to find the defendant pleading that 'the statute gives a suit to the husband only in respect of the chattels taken with his wife * * * and we came to such a place, and there found her dressed in the clothes that we had given her, and she followed us.' Then there is the action for trespass, *Petstede v. Marreys*, brought by a lady to whom the third part of the beasts in a park had been assigned in dower by A, who afterwards came 'with force and arms' and took and carried away the third part belonging to her dower, and the overruling of the attempt to abate the writ, on the ground that damages could not be recovered for a chattel held in common and not severed, with the judgment of the Chief Justice (Brabazon) that 'the demandant is seized of the third part of the profit through and through (parmi et partout), and can be aided by no other writ than this.' Notable, too, as showing the independence of the Bench even in those days, was the outburst of another Chief Justice (Beresford) against the Bishop of Hereford, who, having been attached to answer a plea for the taking of the plaintiff's beasts upon his lands, which had been released to him by the bishop's predecessor, with the assent of the Chapter, avowed that he was not bound by the release, whereupon the judge said: 'It is a dishonourable thing for an honest man to demand that which his predecessor released * * * The men of Holy Church have a wonderful way! If they get a foot on to a man's land, they will have their whole body there. For the love of God, the bishop is a shrewd fellow!' They had a short way with juries, too, even in civil cases, for in a writ of entry sur desseisin, where issue was joined and the jury could not agree, the judge (one Hervey of

Staunton, who, by the way, was a clerk in holy orders) said: 'Good people, you cannot agree?' and (to John Allan, his marshal) 'Go and put them in a house until Monday, and not let them eat or drink.' The perils of a professional man were considerable also in those times; for in *Brothe v. Tallard* we find the same judge on a wife's writ of dower against C, who came into Court by attorney, addressing the man of law thus: 'Fair friend, have you sued a writ?' and on the attorney saying that he had but had delivered the bill which witnessed it to his client and praying a *postea*, Staunton, J., broke out thus: 'You wicked rascal, you shall not have it! But because to delay the woman from her dower, you have vouched and have not sued a writ to summon your warrantor, this Court awards that you go to prison * * * We will have no mainprise, but stay in gaol till you are well chastised.' These are from the records of just six hundred years ago, but they seem to find echoes in our Courts even at the present day."

—London Law Journal.

IN VACATION.

Eviction by Bedbugs.—An action was brought to recover a sum alleged to be due as rent under a lease for an apartment which had been abandoned. Defendant introduced evidence showing that the apartment, including the beds and closets, and all the rooms, was overrun with bedbugs and other vermin of great industry and assiduity. The apartment was not under plaintiff's control, and no covenant against vermin appeared in the lease. The Supreme Court of New York in *Jacobs v. Morand*, 110 New York Supplement 208, held that the presence of vermin in the house does not constitute eviction so as to justify abandonment of the premises by the tenant

BOOK REVIEWS.

Pollard's Code Biennial, 1908, containing all statutes of a general and permanent nature passed by the General Assembly of Virginia at its sessions of 1906 and 1908, also annotations to the Code of Virginia, 1904, and the Constitution and Tax Bill. Edited by John Garland Pollard of the Richmond Bar. For sale exclusively by Everett Waddey & Co. Richmond, Va. 1908. Price \$6.00.

Pollard's Code Biennial is not only now an institution, but a necessity. Its importance to the lawyer who wishes to be "up to date" and to save the time spent in examination necessitated by the vast growth of statute law and decisions in the State of Virginia, is incalculable. The present work—superseding the edition of 1906—gives the amendments or repeal of 377 Sections of the Code of 1904 and one hundred and forty-six independent acts of a general and permanent nature. The annotations cover 102 to 107 Va.—194 to